

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America )

v. )

George Arthur DODSON III )

Case:2:11-mj-30437

Judge: Unassigned,

Filed: 08-12-2011 At 02:39 PM

Sealed Matter (ml)

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 17, 2011 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

## Code Section

## Offense Description

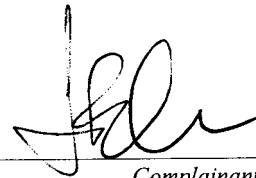
Title 18 U.S.C. Section 922(o)

Possession of a machinegun

Title 26 U.S.C. Section 5861(d)

Possession of an Unregistered Machinegun

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.


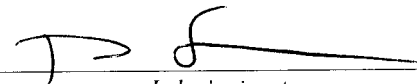
Complainant's signature

Jason Cox, Special Agent ATF

Printed name and title

Sworn to before me and signed in my presence.

Date:

8/12/11


Judge's signature

City and state:

Detroit, Michigan

R. Steven Whalen

Printed name and title

## ATTACHMENT

Agent Jason Cox being duly sworn, deposes and states the following:

1. I make this affidavit from personal knowledge based on my participation in this investigation, including witness interviews by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.
2. Your affiant is a duly sworn Special Agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been employed as a Special Agent since July of 2000. I have numerous hours of training in the enforcement of Federal firearms and explosives laws from the Federal Law Enforcement Training Center and the ATF Special Agent Basic Training Program in Glynco, Georgia. My current duties involve the investigation of violations of federal firearms laws to include the unlawful transfer, possession, and use of firearms. In addition to my training and experience as an ATF Agent, I have additional law enforcement training and experience with the United States Customs Service and the United States Marshal's Service. From 1995 to 1996, I was an Inspector with the Customs Service and from 1996 to 2000, I was Deputy United States Marshal.

3. I am currently participating in an investigation of George Arthur DODSON III, year of birth 1941, who does business through a Michigan corporation known as "Su-Press-On, Inc."
4. A drop-in auto sear (DIAS) is a mechanical device that is specifically designed and used to convert a semi-automatic AR-15 type rifle into a fully automatic rifle or machinegun. Under 26 U.S.C. § 5845(b), a DIAS is itself legally defined to be a machine gun, so that the possession, transfer, or manufacture of an unregistered DIAS is a felony under federal law. See, *United States v. Cash*, 149 F.3d 706 (7th Cir. 1998). Moreover, in 1981 ATF issued a ruling that classified DIASs for AR-15 rifles to be "machine guns" as defined in 26 U.S.C. § 5845(b). See ATF Rul. 81-4.
5. Your affiant is aware that "Su-Press-On" has regularly advertised in a periodical named Shotgun News, a firearms trade publication. For example, a Su-Press-On advertisement in the April 2011 edition of Shotgun News reads:

FROM THE ORIGINAL INVENTOR  
AR15/M16 DROP-IN AUTO SAFETY SEAR!

Not an overpriced counterfeit copy! Highest quality! No FFL  
needed. Money orders only. Insured first class mail.

\$105. "Su-Press-On, Inc," P.O. Box 09161  
Detroit, MI, 48209 (313)842-4222

Affiant knows that identical or similar ads have appeared in the Shotgun News for several years.

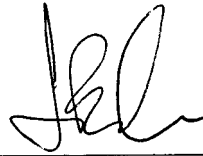
6. State of Michigan records show that Su-Press-On, Inc., was incorporated in 1982 with George DODSON was the original registered agent and has continued to be its registered agent to the present.
7. Subscriber information obtained from AT&T through the issuance of a Grand Jury Subpoena indicates that telephone number listed in the Shotgun News advertisement, (313)842-4222, is a landline subscribed to by Su-Press-On with an assigned service address of 1820 Wyoming Street, Apartment 201, Dearborn, Michigan, and an assigned billing address of Su-Press-On, P.O. Box 09161, Detroit, Michigan. Your affiant knows that 1820 Wyoming Street, Apartment 201, Dearborn, Michigan is the residence of George DODSON.
8. On March 7, 2011, ATF SA Brian Luettker ordered a DIAS from Su-Press-On by mailing a \$105 U.S. Postal Money Order, serial number 17664522840, to Su-Press-On, P.O. Box 09161, Detroit, Michigan. The order was placed in an undercover name with a U.S Post Office Box located in Comstock Park, Michigan as a return address. At no time in his correspondence did SA Luettker, acting in an undercover capacity, indicate that he was a Special Occupational Taxpayer (SOT). All individuals and entities engaged in the business of manufacturing, possessing, and transferring firearms (machineguns) as defined in Title 26 U.S.C., Chapter 53, Section 5845(b), must pay an SOT tax and register with the ATF.

9. On March 21, 2011, SA Luettkke observed that a package had arrived at the Comstock Park, Michigan P.O. Box. The package was bearing a return address of "SU-PRESS-ON, Box 09161, Detroit, MI 48209, (313)842-4222". SA Luettkke identified the contents of the package as a DIAS and three pages of documents bearing instructions for installation of the DIAS, as well as other firearms related information. The subject DIAS did not bear a serial number, but was stamped with the letters "SPO."
10. The DIAS SA Luettkke purchased from Su-Press-On was subsequently sent to the ATF Firearms Technology Branch for testing, examination, and classification. The DIAS was determined to be a combination of parts designed and intended for converting a weapon into a machinegun; therefore, the DIAS met the definition of a machinegun as set forth in Title 26, United States Code, Section 5845(b).
11. During the course of this investigation, SA Cox has received financial documents from Comerica Bank pursuant to the issuance of a Federal Grand Jury Subpoena for accounts maintained by Su-Press-On, Inc. Comerica's records revealed that Su-Press-On's account was opened in 1981 by George DODSON and lists a mailing address of P.O. Box 09161, Detroit, Michigan – the same P.O. Box at which Su-Press-On receives mail-orders. No other individuals are listed on the account. The account records provided by Comerica Bank revealed that the postal money order that SA Luettkke had mailed to SU-PRESS-ON on March 7, 2011, for the purchase of a DIAS (postal money order 17664522840) was

deposited into Su-Press-On's account on March 17, 2011.

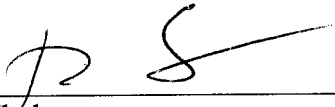
12. A machine gun is defined as a "firearm" under Title 26, United States Code, Chapter 53, Section 5845(a)(6). A person possessing or manufacturing a Title 26 firearm must have that firearm registered to him in the National Firearms Registration and Transfer Record (NFRTR). It is a violation of Federal law not to have such a firearm properly registered. Your affiant knows that DODSON does not have any DIASs (Title 26 "firearms"), registered to him in the NFRTR.
  
13. A Special Occupational Taxpayer (SOT) is an individual licensed by ATF to engage in the business of manufacturing, possessing, and transferring firearms (to include machineguns) as defined in Title 26 U.S.C., Chapter 53, Section 5845(b). Your affiant knows that George DODSON is not licensed by ATF as a Special Occupational Taxpayer.

14. Based on the aforementioned facts, I have probable cause to believe that George DODSON is unlawfully possessing and transferring DIASs (Title 26 "firearms") that are not registered in the NFRTR, in violation of Title 26, United States Code, Section 5861(d) and unlawful possession of a machinegun, in violation of Title 18 United States Code, Section 922(o).



Jason Cox  
Special Agent, ATF

Sworn to and subscribed in my presence.



R. Steven Whalen  
U.S. Magistrate/Judge

8/12/11

Date